

AO 91 (Rev. 8/01) Criminal Complaint

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA  
v.United States District Court  
Southern District of Texas  
FILED

## CRIMINAL COMPLAINT

Jose Humberto Herrera-Rivera

DEC 09 2024

Case Number:

M-24-2182-M

IAE  
Honduras

YOB:

1982

Nathan Ochsner, Clerk

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about December 8, 2024 in Hidalgo County, in  
the Southern District of Texas

The Defendant being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near Hidalgo, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the Defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony).  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Jose Humberto Herrera-Rivera was encountered by Border Patrol Agents near Hidalgo, Texas, on December 8, 2024. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on December 8, 2024, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on February 19, 2013, through Atlanta, Georgia. Prior to Deportation/Exclusion, the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

On July 14, 2010, the Defendant was convicted of 8 USC 1326, Illegal Re-Entry, and sentenced to thirty-nine (39) months confinement.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA A. Parcell

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

December 8, 2024

Juan F. Alanis, U.S. Magistrate Judge  
Name and Title of Judicial Officer

/s/ Juan Mendez-Soto  
Signature of Complainant

Juan Mendez-Soto Border Patrol Agent

Signature of Judicial Officer